

From: CRCLCompliance
To: (b)(6)@americanbar.org
Subject: Follow-up to DHS CRCL Complaint 14-08-CBP-0205
Date: Wednesday, June 18, 2014 1:47:00 PM
Attachments: 05.28.2014 14-08-CBP-0205.pdf

Dear Ms. (b)(6)

Please see the attached correspondence from the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties. Thank you.

Sincerely,

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



This message, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by reply e-mail, and delete the message.



Homeland
Security

June 18, 2014

Via electronic mail

(b)(6)

Children's Staff Attorney
South Texas Pro Bono Asylum Presentation Project (ProBAR)
119 W. Van Buren Ste. 204
Harlingen, TX 78550

(b)(6)@americanbar.org

Re: Complaint No. 14-08-CBP-0205

(b)(6)

Dear Ms. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on May 28, 2014 on behalf of (b)(6). Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528


For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dana Salvano-Dunn', is written over a horizontal line.

Dana Salvano-Dunn
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: (b)(6) -ProBAR
To: CRCLCompliance
Subject: Re: CBP complaints by UACs
Date: Wednesday, June 18, 2014 12:31:35 AM

Hi (b)(6)

Thank you for the email. In this case, I did not submit an affidavit from the minor, rather she gave me permission to provide a summary of the allegations. As the allegations are serious, I hope an investigation will be conducted. Let me know if you have any other questions.
Thank you.

Best,

(b)(6)

Sent from my iPhone

On Jun 17, 2014, at 3:34 PM, CRCLCompliance <CRCLCompliance@HQ.DHS.GOV> wrote:

Hello Ms. (b)(6)

The complaint that you submitted regarding Ms. (b)(6) did not have the affidavit and authorization page included with the cover letter. Please confirm that we received the complete complaint package for Ms. (b)(6)

Thank you

(b)(6)

Office for Civil Rights & Civil Liberties
Department of Homeland Security
(202) 357- (b)(6) (phone)
(202) 253- (b)(6) (bb)
(b)(6) @hq.dhs.gov

<image001.gif>

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From: (b)(6) @gmail.com]
Sent: Monday, June 16, 2014 5:09 PM
To: CRCLCompliance
Subject: CBP complaints by UACs

Good Afternoon,

Please find attached six complaints about CBP conduct involving UACs.

Best,

(b)(6)

Children's Staff Attorney
South Texas Pro Bono Asylum Representation Project (ProBAR)
(a project of the American Bar Association Commission on Immigration)
119 W. Van Buren, Ste. 204
Harlingen, TX 78550

(b)(6) [@gmail.com](#)

tele: (956) 365-3775

fax: (956) 365-3789

<CBP_Complaint_Weslaco_(b)(6).pdf>

From: (b)(6)
To: (b)(6)
Subject: Report to CRCL - Allegation of Abuse/Neglect by DHS CBP (b)(6)
Date: Wednesday, May 28, 2014 1:22:17 PM
Attachments: MX-M363N_20140523_142223.pdf
Non-Emergency SIR (b)(6) 5.21.htm
CBP Correspondence Pregnant UAC (b)(6).htm
Importance: High

Please see the attached.

Please advise if additional information is required.

(b)(6)

HHS ACF ORR DCS

202.631 (b)(6)

(b)(6)@acf.hhs.gov

From: (b)(6)@iestex.org]
Sent: Friday, May 23, 2014 4:47 PM
To: (b)(6)
Subject: FW: (b)(6)

Good Afternoon (b)(6)

Attached are the documents we have with regards to the minor.

(b)(6)

Program Director

IES Hidalgo Foster

1885 E. Price Rd - Suite F

Brownsville, Texas 78521

956 (b)(6) Office

956 (b)(6) Fax

956 (b)(6) Mobile

(b)(6)

[\[REDACTED\]@diestex.org](mailto:[REDACTED]@diestex.org)

IES Mission:

To Empower Children, Youth, and Families to Succeed through Educational and Supportive Services.

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From: (b)(6) [redacted]@diestex.org]
Sent: Wednesday, May 21, 2014 3:30 PM
To: ACF SIRHOTLINE (ACF)
Cc: (b)(6) [redacted]

Subject: Non-Emergency SIR

SIR-IES Hidalgo Foster

UAC (b)(6) [redacted] age 14, (b)(6) [redacted] COO: Honduras

Type: - Other Abuse: Immigration and Customs Enforcement (ICE) Staff

Summary: (b)(6) [redacted] disclosed that while she was detained at the border patrol station, she did not receive medical attention when she asked and informed agents that she was experiencing pain. Child reported that several border patrol agents told her that she was "lying about her pain" and that she was "reporting pain because she believed that would help her get to her family sooner".

Submitted by: (b)(6) [redacted] Lead Clinician

(b)(6) [redacted] MA LPC, LCDC Intern, NCC
Lead Clinician
IES Foster
1885 E. Price Brownsville, TX Suite G
Office :(956) (b)(6) [redacted]
Fax :(956)5 (b)(6) [redacted]

Page 010 of 176

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Page 011 of 176

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Page 012 of 176

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Page 013 of 176

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Page 014 of 176

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Page 015 of 176

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Page 016 of 176

Withheld pursuant to exemption

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Page 017 of 176

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Page 018 of 176

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Page 019 of 176

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Page 020 of 176

Withheld pursuant to exemption

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Page 021 of 176

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Page 022 of 176

Withheld pursuant to exemption

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Page 023 of 176

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(b)(6)

of the Freedom of Information and Privacy Act

From: (b)(6)
Sent: 30 Oct 2014 10:36:01 -0400
To: (b)(6)
Cc:
Subject: RE: Please ensure these are all retained in Entellitrak

Also (b)(6) would like 14-09-CBP-0241 to be dropped into the RGV Retention Memo because we looked at sibling separation onsite, and it should have been one that we retained for that onsite, he says. So, the attached signed Retention Memo has it dropped in with a note. Will you please have one of the interns upload this Edited-Signed Retention Memo to every complaint listed in the Retention Documents (listed on top and in the footnotes, and add a note saying "This signed Retention Memo contains a dropped-in complaint post-onsite because it was investigated in the onsite but not included in the original signed Retention Memo." (Directed by (b)(6) during docket review.) I will upload this email in the dropped in complaint with the note, because I have to move it to retained anyway, so the intern doesn't have to do this one.

I hope that's clear. Please stop by if not. Thank you!

(b)(6)

Duplicate



San Pedro Plaza
119 W. Van Buren Ave., Ste. 204
Harlingen, Texas 78550
(956) 365-3775 tel
(956) 365-3789 fax
probar@sbcglobal.net
www.americanbar.org/probar

Meredith Linsky
Director

A project of the American Bar Association, State Bar of Texas, and
American Immigration Lawyers Association.

June 11, 2014

Department of Homeland Security
Attn: Office of Inspector General
245 Murray Drive, SW, Building 410
Washington, DC 20528

RE: Weslaco Border Patrol

Dear Sir or Madam:

Our office requests that the Office of Inspector General investigate the behavior of Border Patrol officers in Weslaco, Texas, where we have learned about **serious verbal abuse, threats, and possible torture of an unaccompanied pregnant minor**. In addition, we have learned about the **failure to provide adequate medical care to an unaccompanied minor who was pregnant**.

The child has not provided an affidavit but she has given ProBAR permission to provide a summary of the facts surrounding the alleged abuse. Her information is included below.

- (b)(6) currently detained at the International Education Service (IES) – Foster Hidalgo facility in Brownsville, Texas. For your reference the event number is (b)(6)

ProBAR learned that (b)(6) may have suffered serious verbal abuse, threats and possible torture while she was held in a Border Patrol processing station before being transferred into the custody of the Office of Refugee Resettlement. During the period in question (b)(6) was about five months pregnant. ProBAR learned that (b)(6) was experiencing severe pains and requested medical treatment but two Border Patrol officials reportedly refused to provide her with assistance. ProBAR also learned that (b)(6) was ultimately transported to a hospital, where she lost her child.

The records related to the event number, (b)(6) should reflect the incidents that occurred.

Unaccompanied minors who are in custody deserve the fair and humane treatment that is outlined in the Flores settlement. I trust that your agency will be able to use this information to identify any individuals involved in the abuses and to advocate for Border Patrol's compliance with the standards for treatment of minors in custody.

We are looking forward to hearing from you concerning this complaint.

If you have any questions, please contact me at (956) 365-3775. Thank you for your prompt attention to this matter.

Respectfully,

(b)(6)

A large rectangular area is redacted with a solid yellow fill, outlined by a thin red border. It is positioned directly below the signature line.

Attorney at Law

cc: DHS Office of the Inspector General
245 Murray Drive, SW, Building 410/Mail Stop 2600
Washington, DC 20528
Via facsimile to (202) 254-4297

Department of Homeland Security
Office for Civil Rights and Civil Liberties
245 Murray Drive, SW, Building 410
Washington, DC 20528
Via electronic mail to CRCLCompliance@hq.dhs.gov

Department of Homeland Security
Joint Intake Center, ICE/CBP
P.O. Box 14475
1200 Pennsylvania Avenue, NW
Washington, DC 20044
Via facsimile to (202) 344-3390

Department of Homeland Security
Office of Internal Audit
425 "I" Street, NW
Washington, DC 20530

Commission on Immigration
American Bar Association
1050 Connecticut Ave., NW, Suite 400
Washington, DC 20036
Via electronic mail

Customs and Border Protection
Weslaco Station
1501 E. Expressway 83
Weslaco, Texas 78559

(b)(6)

c/o IES Foster Hidalgo
1885 E. Price Road
Brownsville, TX 78521
Via hand delivery

From: (b)(6)
To: JOINT INTAKE
Cc: PDOTASKING; (b)(6);(b)(7)(C)
Subject: Short Form Request in Complaint No. 14-09-CBP-0262
Date: Wednesday, August 13, 2014 9:38:00 AM
Attachments: 06.11.2014 (b)(6).pdf

The Office for Civil Rights and Civil Liberties (CRCL) has received a complaint alleging that (b)(6) was improperly targeted for removal by unidentified Border Patrol Agents (BPA). The purpose of this email is to notify you of the complaint and describe those allegations, inform you that CRCL will investigate this complaint as a short-form, and request documents and information from ICE relating to the allegations.

On June 11, 2014, CRCL received correspondence from (b)(6) an attorney, on behalf of Mr. (b)(6). The correspondence alleges that Mr. (b)(6) was pulled over by two plain-clothes BPAs in an unmarked car who were instructed to arrest him. Mr. (b)(6) claims that he was forced out of his car at gunpoint, and during the arrest, the BPAs told him that their supervisor specifically asked them to arrest Mr. (b)(6). (b)(6) stated that he was involved in a child-custody battle with his ex-girlfriend at the time of the arrest, and Mr. (b)(6) believes that his ex-girlfriend's aunt, who allegedly works for CBP, used her position to get him arrested. After the arrest, Mr. (b)(6) stated that he was processed at the BP detention center in Murrieta, California, and later removed from the United States.

The purpose of our review is to determine whether Mr. (b)(6) received appropriate treatment by CBP and to determine whether the BPAs followed proper procedure.

As part of our investigation, we request copies of all documents related to the stop and apprehension of (b)(6) including but not limited to I-213s and TECS records.

We would appreciate receiving the documents and information by COB on September 16, 2014. Please let us know if any documents or information do not exist or are not available.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL is charged with investigating and assessing complaints against DHS employees and officials for abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion. The procedures for our investigations and the recommendations they may generate are outlined in DHS Management Directive 3500. More particularly, 42 U.S.C. § 2000ee-1(d) grants this Office access to the "information, material, and resources necessary to fulfill the functions" of the office, including the complaint investigation function; Management Directive 3500 further authorizes CRCL to "[i]nterview[] persons and obtain[] other information deemed by CRCL

to be relevant and require[] cooperation by all agency employees” and to “[a]ccess[] documents and files that may have information deemed by CRCL to be relevant.” All communications and information submitted to CRCL are protected to the maximum extent possible by the attorney-client and deliberative process privileges. However, CRCL is required, under 6 U.S.C. § 345(b), to submit an annual report to Congress—also posted on CRCL’s Web site—that is required to detail “any allegations of [civil rights] abuses . . . and any actions taken by the Department in response to such allegations.” Finally, 42 U.S.C. § 2000ee-1(e) prohibits reprisals or threats of reprisal by a federal employee for making complaints to CRCL or for disclosing information to CRCL in the course of its investigations. The request for information above is done in accordance with these authorities.

Thank you for your assistance with this request. Please let me know if you have any questions.

Best,

(b)(6)

Senior Policy Advisor
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
(202) 357- (b)(6)

From: CRCL_DHSOIGHotline
To: (b)(6) CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 14-08-CBP-0205
Date: Wednesday, June 18, 2014 10:59:42 AM
Attachments: image003.png

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
Sent: Monday, June 16, 2014 2:46 PM
To: CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: CRCL Complaint Number 14-08-CBP-0205

DHS OIG,

Summary of new complaint for your review:

THIS MATTER INVOLVES AN UNACCOMPANIED MINOR. On May 28, 2014 CRCL received an email referral from Health and Human Services Office of Refugee and Resettlement (HHS ORR) on behalf of unaccompanied alien child (UAC) (b)(6) age 14. UAC (b)(6) alleges that Border Patrol agents at the Weslaco Station denied her medical attention when she initially requested it for pain that she was experiencing. The agent allegedly stated that she was lying about her pain, because "she believed that would help her get to her family sooner". According to the I-213, there was a health note that the UAC claimed to be four months pregnant and was taken to the Knapp Medical Center for evaluation and was medically cleared the morning of May 18, 2014. According to EARM records, UAC was apprehended by Border Patrol on May 17, 2014 in Hidalgo, Texas (Rio Grande Valley Sector), she was transported to the Weslaco Station, and then transferred to HHS ORR custody while the UAC was at the hospital on May 17, 2014. HHS ORR email and medical records, reportedly on May 18, 2014 the UAC was five months pregnant, Border Patrol called 911 requesting EMS after the UAC's "water broke", the baby died on May 18, 2014 at 4:55 pm. According to BP email records, the Knapp Medical center personnel medically cleared the UAC the morning of May 18, 2014, prior to Border Patrol calling 911

(b)(6)
Office for Civil Rights and Civil Liberties
Department of Homeland Security
202-357-(b)(6)
(b)(6) @associates.hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email

Page 031 of 176

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(b)(6)

of the Freedom of Information and Privacy Act

Page 032 of 176

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(b)(6)

of the Freedom of Information and Privacy Act

Page 033 of 176

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Page 034 of 176

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(b)(6)

of the Freedom of Information and Privacy Act

From: [DHSOIGHotlineMailbox](#)
To: (b)(6) [CRCL_DHSOIGHotline](#)
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 14-08-CBP-0191
Date: Thursday, June 05, 2014 3:10:10 PM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should your office take any administrative or personnel action in response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
Sent: Monday, June 02, 2014 11:09 AM
To: CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: CRCL Complaint Number 14-08-CBP-0191

DHS OIG,

Summary of new complaint for your review:

THIS MATTER INVOLVES AN UNACCOMPANIED MINOR. On May 27, 2014 CRCL received an email referral from Health and Human Services Office of Refugee and Resettlement (HHS ORR) on behalf of unaccompanied alien child (UAC) (b)(6), age 13. According to EARM records, the UAC was apprehended by Border Patrol on May 11, 2014 in Hidalgo, Texas (Rio Grande Valley Sector), she was transported to the Brownsville Station, and then transferred to HHS ORR custody on May 12, 2014. UAC (b)(6) alleges that while she was in Border Patrol custody she was verbally abused, denied a phone call to her mother, and her food was thrown on the ground and was ice cold bologna with a yellow center. The UAC states that three male agents treated her unfairly, and she provided the following description of the agents: two were bald white males, one with a goat t and dark hair. In addition, the UAC states that she informed the agents of her stomach ache, because two months ago she had a cysts removed from her ovaries causing her menstrual cycle to be longer than 11 days with a heavy flow. The UAC alleges that the agents denied pain medication, denied a second sanitary napkin, and denied a request for sheets so

that she did not get blood stains on the surface she laid on. The UAC states that her pants were all stained with blood. According to EARM records, the UAC did not disclose health issues. HHS ORR medical records note the UAC's ovarian cyst.

(b)(6)

Office for Civil Rights and Civil Liberties
Department of Homeland Security

202-357 (b)(6)

(b)(6) [associates.hq.dhs.gov](mailto:(b)(6)@associates.hq.dhs.gov)

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From: CRCL DHSOIGHotline
To: (b)(6) CRCL DHSOIGHotline
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 14-08-CBP-0209 - Box 1 Email
Date: Wednesday, June 18, 2014 11:06:54 AM
Attachments: image003.png

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
Sent: Monday, June 16, 2014 3:12 PM
To: CRCL DHSOIGHotline
Cc: (b)(6)
Subject: CRCL Complaint Number 14-08-CBP-0209

DHS OIG,

Summary of new complaint for your review:

THIS MATTER INVOLVES AN UNACCOMPANIED MINOR. On May 20, 2014 CRCL received an email referral from Health and Human Services Office of Refugee and Resettlement (HHS ORR) on behalf of unaccompanied alien child (UAC) (b)(6) age 12. UAC (b)(6) alleges that he was in Border Patrol custody over 72 hours and was denied food. The UAC was apprehended by Border Patrol on May 9, 2014 in Eagle Pass, Texas (Del Rio Sector), he was transported to the Eagle Pass Station and Del Rio Station, and then transferred to HHS ORR custody on May 15, 2014. In addition, the UAC states that he was denied food during apprehension when he asked, and only received one cookie and one juice in the twelve hour time period from when he was apprehended.

(b)(6)
Office for Civil Rights and Civil Liberties
Department of Homeland Security
202-357-(b)(6)
(b)(6) associates.hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email

From:

(b) (6)

Sent:

Wednesday, July 02, 2014 11:31 AM

To:

JOINT INTAKE

Cc:

PDOTASKING: (b) (6)

Subject:

CRCL Short Form Complaint Notification (14-08-CBP-0209)

Dear Colleagues,

The DHS Office for Civil Rights and Civil Liberties is initially handling the below matter as a Short Form Complaint.

CRCL Short Form Complaint: #14-08-CBP-0209

(b) (6)

THIS MATTER INVOLVES AN UNACCOMPANIED MINOR. On May 20, 2014, CRCL received an email referral from the U.S. Department of Health and Human Services Office of Refugee and Resettlement (HHS ORR) on behalf of unaccompanied alien child (UAC) (b) (6) age 12. UAC (b) (6) alleges that he was in Border Patrol custody over 72 hours and denied food. The UAC was apprehended by Border Patrol on May 9, 2014 in Eagle Pass, Texas (Del Rio Sector). He was transported to the Eagle Pass Station and Del Rio Station, and then transferred to HHS ORR custody on May 15, 2014. In addition, the UAC states that, although he requested food, he was denied adequate food during apprehension, and only received one cookie and one juice in the twelve hour time period from when he was apprehended.

Please review the circumstances of this incident as it pertains to the allegations and provide CRCL with the following information:

- (b)(5)
1. Copy of the UAC's alien file, including the I-213 and narrative. ✓
 2. Copies of all e3 detention logs, during the period in which the UAC was in DHS custody, including feeding logs. ✓
 3. What food do the Eagle Pass Station and Del Rio Station provide UACs for meals and snacks? ✓
 4. Was the UAC in USBP custody over 72 hours? If so, why?
 5. When was the UAC identified as a juvenile? ✓
 6. When were HHS ORR and the FOIC contacted requesting bed space for the UAC? ✓
 7. When was the USBP notified that bed space was available for the UAC? ✓
 8. Any existing reports or records related to the reason for the extended detention of the UAC.
 9. Any existing records of requests or complaints made by the UAC and any responses to those requests or complaints while in USBP custody.

Please provide your response to me at (b) (6) @hq.dhs.gov. Thank you for your assistance with this request.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL is charged with investigating and assessing complaints against DHS employees and officials for abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion. The procedures for our investigations and the recommendations they may generate are outlined in DHS Management Directive 3500. More particularly, 42 U.S.C. § 2000ee-1(d) grants this Office access to the "information, material, and resources necessary to fulfill the functions" of the office, including the

complaint investigation function; Management Directive 3500 further authorizes CRCL to “[i]nterview[] persons and obtain[] other information deemed by CRCL to be relevant and require[] cooperation by all agency employees” and to “[a]ccess[] documents and files that may have information deemed by CRCL to be relevant.” All communications and information submitted to CRCL are protected to the maximum extent possible by the attorney-client and deliberative process privileges. However, CRCL is required, under 6 U.S.C. § 345(b), to submit an annual report to Congress—also posted on CRCL’s Web site—that is required to detail “any allegations of [civil rights] abuses . . . and any actions taken by the Department in response to such allegations.” Finally, 42 U.S.C. § 2000ee-1(e) prohibits reprisals or threats of reprisal by a federal employee for making complaints to CRCL or for disclosing information to CRCL in the course of its investigations. The request for information above is done in accordance with these authorities.

(b)(6)

Office for Civil Rights & Civil Liberties

Department of Homeland Security

(202) 357 (b)(6) (phone)

(202) 253 (b)(6) (bb)

(b)(6) @hq.dhs.gov



**Homeland
Security**

WARNING: This document is FOR OFFICIAL USE ONLY (FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid “need-to-know” without prior approval of an authorized DHS official.

From: CRCLCompliance
To: (b)(6)@americanbar.org
Subject: Follow-up to DHS CRCL Complaint 14-08-CBP-0181
Date: Tuesday, May 20, 2014 2:52:00 PM
Attachments: 05.12.2014 14-08-CBP-0181.pdf

Dear Ms. (b)(6)

Please see the attached correspondence from the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties. Thank you.

Sincerely,

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



This message, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by reply e-mail, and delete the message.



Homeland
Security

May 20, 2014

Via electronic mail

(b)(6)

Children's Staff Attorney
South Texas Pro Bono Asylum Presentation Project (ProBAR)
119 W. Van Buren Ste. 204
Harlingen, TX 78550

(b)(6)@americanbar.org

Re: Complaint No. 14-08-CBP-0181

(b)(6)

Dear Ms. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on May 12, 2014 on behalf of (b)(6). Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528


For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dana Salvano-Dunn', is positioned above the printed name.

Dana Salvano-Dunn
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: (b)(6)
To: [CRCL Compliance](#)
Subject: CBP complaint by UAC and her premature baby
Date: Monday, May 12, 2014 2:51:48 PM
Attachments: [CBP complaint McAllen \(b\)\(6\).pdf](#)

Good Afternoon,

Please find attached a CBP complaint letter and affidavit. Note that this complaint is particularly concerning because it involves a UAC and her premature four pound baby. I look forward to hearing from you. Thank you in advance.

Best,

(b)(6)

Children's Staff Attorney
South Texas Pro Bono Asylum Representation Project (ProBAR)
(a project of the American Bar Association Commission on Immigration)
119 W. Van Buren, Ste. 204
Harlingen, TX 78550
(b)(6) [@gmail.com](#)
tele: (956) 365-3775
fax: (956) 365-3789

May 12, 2014

Department of Homeland Security
Attn: Office of Inspector General
245 Murray Drive, SW, Building 410
Washington, DC 20528

RE: McAllen Border Patrol

Dear Sir or Madam:

Our office requests that the Office of Inspector General investigate the behavior of Border Patrol Officers in McAllen, Texas, where we have received a **report of grossly negligent and inadequate treatment of an unaccompanied minor and her four pound premature baby**. We are attaching the affidavit signed by the minor.

• (b)(6) age 16, A# (b)(6)
(b)(6) currently detained at the IES Foster Hidalgo facility in Brownsville, Texas. (b)(6) child, (b)(6) is United States citizen and he is being held with (b)(6) in ORR custody. For your references the event number is (b)(6)

(b)(6) reports receiving grossly negligent and inadequate treatment by Border Patrol Officers in a processing station ("hielera") in or near McAllen, Texas. She states that on or about April 19, 2014, she entered the United States and was apprehended by Border Patrol. (b)(6) explains that the Officers asked her if she was feeling okay because she was notably pregnant. After hours in the first processing station, (b)(6) states that she began feeling labor pains and was later taken to the hospital.

On April 21, 2014 (b)(6) gave birth to her child, (b)(6). She notes that her baby was born prematurely and only weighed four pounds. She explains that the doctor told the Border Patrol Officer that the baby could not be around other people because he was born prematurely. Once the doctor released (b)(6) from the hospital, she states that the Border Patrol Officer told her she would be placed in a place that was more comfortable.

But, (b)(6) states that instead she was taken to a different processing station where there were "lots of people and children." She explains that the facility was "very dirty with garbage, and there were sick people coughing." (b)(6) further notes that she did not have an adequate place to change her premature baby's diapers or any place where she could provide him with proper care.

The minor's declaration provides more detailed information on the abuse outlined above.

Unaccompanied minors who are in custody deserve the fair and humane treatment that is outlined in the *Flores v. Reno Settlement Agreement*, including medical assistance in the event of emergencies. In addition, U.S. Border Patrol Policy (08-11267), titled, *Hold Rooms and Short Term Custody*, also sets out standards in regard to the duration of detention for UACs (6.2.4), general procedures for UACs who have medical issues or need treatment (6.6-6.7.4) and procedures for processing juveniles into ORR custody (6.24.3).

It is unclear whether there is a particular procedure or policy in place to protect children such as (b)(6) and her four pound premature baby, who were placed back into CBP custody at a processing station after being released from a hospital.

I trust that your agency will be able to use this information to identify any individuals involved in the abuses and to advocate for Border Patrol's compliance with the standards for treatment of minors in custody. Where proper procedures to address this issue are lacking, action must be taken to avoid repetition of what (b)(6) and her premature baby experienced.

We are looking forward to hearing from you concerning this complaint. Please note that the minor's signature on page two of his complaint authorizes your agency to release information about any investigation of this complaint to ProBAR, and we request that you do so. If you have any questions, please contact me at (956) 365-3775. Thank you for your prompt attention to this matter.

Respectfully

(b)(6)

Attorney at Law

cc: DHS Office of the Inspector General
245 Murray Drive, SW, Building 410/Mail Stop 2600
Washington, DC 20528
Via facsimile to (202) 254-4297

Department of Homeland Security
Office for Civil Rights and Civil Liberties
245 Murray Drive, SW, Building 410
Washington, DC 20528
Via electronic mail to CRCLCompliance@hq.dhs.gov

Department of Homeland Security
Joint Intake Center, ICE/CBP
P.O. Box 14475
1200 Pennsylvania Avenue, NW
Washington, DC 20044
Via facsimile to (202) 344-3390

Department of Homeland Security
Office of Internal Audit
425 "I" Street, NW
Washington, DC 20530

Commission on Immigration
American Bar Association
1050 Connecticut Ave., NW, Suite 400
Washington, DC 20036
Via electronic mail

Customs and Border Protection
McAllen Station
3000 West Military Highway
McAllen, TX 78503

(b)(6)

c/o IES Foster Hidalgo
1885 East Price Road
Brownsville, TX 78521
Via hand delivery

My full and complete name is:

(b)(6)

My assigned Alien number is:

I was detained by Border Patrol Agents at or near: Hidalgo, Texas

I was detained by Border Patrol Agents on or about: April 19, 2014

My age at the time I was detained: 16 FINS #:

(b)(6)

Event #:

(b)(6)

Border Patrol Agent:

(b)(6), (b)(7)(C)

Supervisor:

(b)(6), (b)(7)(C)

Location of Border Patrol Agent: Rio Grande City, Texas

I, (b)(6) declare and affirm that the following took place:

We crossed the river. Then we were walking when the Patrol caught us. They asked us questions - where were we from, my name, + how old I was. I answered everything, and they also asked if I was OK because they saw I was pregnant. I said yes. Then they took us to the "hielera" where there were a lot of people and children. Then they took our fingerprints and photos. After that, they locked us in the "hielera." I was there for about six hours when my pains began. I alerted them and they took me to the hospital. I was in the hospital two days while they gave me medicines, and then on April 21, my baby was born. I was in the hospital about 10 more days because my baby was born premature. He weighed 4 pounds. When the doctor let us out of the hospital, the Patrol took me back to the "hielera" with my baby. They asked me questions and asked me to sign some papers. They told me they would put me in a place more comfortable than before. I thought that's what would happen but they took me back to the "hielera" in a room where there were a lot of people and children. The room

was very dirty, with garbage, and there were sick people coughing. I was there a day and a half, almost two days. I didn't have any place to put my baby. There was no good place to change his diaper, and no place to care for him correctly since he was premature. Before I left the hospital, the doctor asked the officer who was guarding ^{me} where they would take me. The doctor said the baby could not be where there were other people because the baby was premature. The officer said he didn't know that he only followed orders and would take me to the station. I understood because the doctor said that in Spanish, and the officer made a gesture that he didn't know where they would put me but that he would take me to the station.

I declare and affirm under penalty of perjury that the content of this declaration is true and correct to the best of my knowledge. I authorize any agency or entity receiving this complaint or a copy of this complaint to release any and all information about this complaint or its investigation to South Texas Pro Bono Asylum Representation Project (ProBAR).

(b)(6)

Signature

5/8/2014

Date

I, (b)(6), hereby declare under penalty of perjury that I am competent in both English and Spanish, and have translated to the best of my abilities the foregoing affidavit from Spanish to English.

(b)(6)

Signature

5/8/2014

Date

From: CRCL_DHSOIGHotline
To: (b)(6)
Subject: RE: CRCL Complaint Number 14-08-CBP-0181 Box 1 email
Date: Thursday, May 22, 2014 2:48:45 PM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)@associates.hq.dhs.gov]
Sent: Tuesday, May 20, 2014 1:25 PM
To: CRCL_DHSOIGHotline
Cc: (b)(6)
(b)(6)
Subject: CRCL Complaint Number 14-08-CBP-0181

DHS OIG,

Summary of new complaint for your review:

THIS MATTER INVOLVES AN UNACCOMPANIED MINOR. On May 12, 2014 CRCL received email correspondence from (b)(6) of South Texas Pro Bono Asylum Representation Project (ProBAR) on behalf of unaccompanied alien child (UAC) (b)(6) (b)(6) age 16. UAC (b)(6) alleges that after apprehension by Border Patrol in Mission, Texas (Rio Grande Valley Sector), on April 19, 2014, she gave birth prematurely and after giving birth she and her baby were held in a dirty Border Patrol hold room for almost two days. In addition, the hold room was filled with garbage, sick people, and she was unable to find a place to change her baby's diaper. UAC (b)(6) states that after processing at the Rio Grande City Station, about 6 hours later, she began to feel pains, and then Border patrol took her to the hospital where she gave

birth on April 21, 2014 to a premature baby that was only 4 pounds. She states that she was at the hospital about 10 more days after giving birth, and prior to being released from the hospital, her doctor told the BP agent that the premature baby could not be around other people, but the agent informed the doctor that he had to follow orders and take them back to BP station. According to EARM records, the UAC appears to be in good health, and the UAC gave birth to a child on April 26, 2014. The UAC was transferred to HHS ORR custody on April 30, 2014.

(b)(6)

Office for Civil Rights and Civil Liberties
Department of Homeland Security

202-357-(b)(6)

(b)(6) [@associates.hq.dhs.gov](mailto:(b)(6)@associates.hq.dhs.gov)

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email

From: (b)(6)
To: (b)(6), (b)(7)(C)
Cc:
Subject: Preliminary UAC Medical Question
Date: Wednesday, May 14, 2014 1:56:00 PM

Hello (b)(6), (b)(7)(C)

CRCL just received 1 new complaint involving an unaccompanied alien child. CRCL has not issued complaint documents yet on this case, because CRCL has not yet determined to open the case for investigation. The complaint was not clear regarding when she informed Border Patrol that she needed medical attention and when Border Patrol returned her from the hospital to the BP Station. Could you preliminary provide the UAC's medical records and the dates of when the following UAC was in BP custody?

- CRCL Number Contact-DHS-14-0343: (b)(6)

Thank you

(b)(6)
Office for Civil Rights & Civil Liberties
Department of Homeland Security
(202) 357- (b)(6) (phone)
(202) 253- (b)(6) (bb)
(b)(6) @hq.dhs.gov



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From: (b)(6)
To: [CRCL](#)
Subject: Civil Rights Complaint for Unaccompanied Alien Child
Date: Tuesday, May 06, 2014 7:27:18 PM
Attachments: [Complaint Packet to CRCL.pdf](#)

To Whom It May Concern:

Please accept the attached documents as an official complaint on behalf of the Unaccompanied Alien Child, (b)(6)

Should you need any additional information, please do not hesitate to contact me.

Sincerely,

(b)(6)

Staff Attorney, Children's Program
Florence Immigrant and Refugee Rights Project
202 E. McDowell Rd., Ste. 165
Phoenix, AZ 85004
Email: (b)(6)@firrp.org
Phone: (602) (b)(6)
Fax: (602) 34 (b)(6)



U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
CRCL/ Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, DC 20528

VIA EMAIL TO: CRCL@dhs.gov

To Whom It May Concern:

Vanessa Pineda, Esq.
Staff Attorney
Tel: 602.307.1006
Fax: 602.340.0596
vpineda@firrp.org

Children's Program:
202 E. McDowell Rd.
Suite 165
Phoenix, AZ 85004

Web: www.firrp.org

This letter is an **OFFICIAL COMPLAINT** on behalf of (b)(6), an Unaccompanied Alien Child (UAC), regarding an instance of abuse by the Border Patrol at the time of his detention. The UAC reported that he was physically apprehended near the area of McAllen, Texas.

As an organization that provides legal assistance and advocates on behalf of unaccompanied minors who are under the care of the Office of Refugee Resettlement in Arizona, we are deeply concerned that this incident was a direct violation of the *Flores* Settlement Agreement and the basic civil and human rights of this child.

Attached is a formal declaration by the concerned minor, detailing the abuse he experienced with as much detail as he can remember. Also, attached is a Waiver of Anonymity signed by the UAC as consent and authority to receive personal information regarding the UAC's case with your office and any related subsequent investigation.

We hope that this incident will be promptly investigated and forwarded on to the appropriate bodies such that proper action can be taken to prevent similar incidents from occurring in the future. Please do not hesitate to contact the Florence Project with any questions or concerns you might have regarding this complaint. We welcome the opportunity to meet with you and further assist you in resolving this issue. Thank you for your attention to this important matter and for your assistance in insuring that unaccompanied minors taken into Immigration custody along the Texas border are treated in accordance with our laws.

(b)(6)

Enclosures:

- DHS Office of Civil Rights and Civil Liberties Civil Rights Complaint Form
- Waiver of Anonymity for CRCL/OIG Complaint
- Declaration of Unaccompanied Alien Child (UAC)



Department of Homeland Security (DHS)
Office for Civil Rights and Civil Liberties

Civil Rights Complaint

Fillable Version (last modified 3/15/2011)

The purpose of this form is to assist you in filing a civil rights/civil liberties complaint with the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) regarding DHS programs and activities. This form is not intended to be used for complaints about employment with DHS. You are not required to use this form to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested in the form.

CRCL Mission:

The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the nation while preserving individual liberty, fairness, and equality under the law. We investigate claims of civil rights and civil liberties abuses, to help DHS improve protections and programs.

Do you have a DHS civil rights or civil liberties complaint? If you believe that DHS personnel or a DHS program or activity has violated your rights, we want to hear from you. Fill out this form, or write us an email or letter.

In connection with a DHS program, activity, or policy, have you experienced:

- Discrimination based on your race, ethnicity, national origin (including language proficiency), religion, gender, or disability? (Note: do not use this form to make a complaint about employment discrimination; see www.dhs.gov/eeo.)
- Denial of meaningful access to DHS or DHS-supported programs, activities, or services due to limited English proficiency?
- Violation of your rights while in immigration detention or as a subject of immigration enforcement?
- Discrimination or inappropriate questioning related to entry into the United States?
- Violation of your right to due process, such as your right to timely notice of charges or access to your lawyer?
- Violation of the Violence Against Women Act's confidentiality requirements?
- Physical abuse or any other type of abuse inflicted upon you?
- Any other civil rights or civil liberties violation related to a DHS program or activity?

Notes on Confidentiality and Anonymity:

- A)** You may remain anonymous by not filling in your name, below. However, CRCL may not be able to investigate your complaint unless you provide enough information to conduct an investigation.
- B)** Disclosure of the information you provide, including your identity, is on a "need-to-know" basis, and is discussed in the Privacy Statement at the end of this document. **IF YOU CHECK THE BOX BELOW, WE WILL NOT DISCLOSE YOUR IDENTITY TO OTHER OFFICES, IN OR OUT OF DHS (unless it is necessary for investigation of criminal misconduct).** Note, however, that this will in many situations make it very difficult or impossible, practically speaking, for us to investigate the allegations you raise.
- ☐ I do NOT want CRCL to disclose my name to other offices, and understand this decision will often make it impossible for an investigation to take place.
- C)** Retaliation against complainants to CRCL is unlawful: if you feel you have been a victim of retaliation, CALL US. 1-866-644-8360.

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① **Information about the person who experienced the civil rights/civil liberties violation**
(fill in what you can)

Name: (b)(6) _____
First and Middle Last

Phone #: Cell: _____ Home: _____ Work: _____

Please note that we may contact you at the provided numbers.

Mailing Address: C/O The Florence Project, 202 E. McDowell St., Ste. #165, Phoenix, AZ 85004
PO Box or Street address City State Zip

Date of Birth: (b)(6) _____ Email (optional): _____

Alien Registration #. (if you have one and it's available): 206 (b)(6) _____

☐ Check here if you are in detention now.

Which facility? Southwest Key Programs-Hacienda del Sol, 12030 N. 113th Ave., Youngtown, AZ 85363
Facility name Facility address

☒ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information see below.

② **Are you filling in this complaint form on behalf of another individual?** If yes, please provide your information.

Name: (b)(6) (b)(6) _____
First Last Staff Attorney Job title

Organization (if any): The Florence Immigrant and Refugee Rights Project

Phone #: Cell: _____ Home: _____ Work: (602) 307-1006

Mailing Address: 202 E. McDowell St., Ste. #165, Phoenix, AZ 85004
PO Box or Street address City State Zip

③ **What happened?** Describe your complaint. Give as much detail about your experience as possible.

See attached Minor's Declaration.

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

On or about April 19th, 2014.

Where did this happen?

Place (for example, name the detention facility, airport, other): _____

City: near McAllen State or Country: Texas

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply):

- | | |
|---|---|
| <input type="checkbox"/> Citizenship and Immigration Services (USCIS) | <input type="checkbox"/> Not sure which DHS office |
| <input checked="" type="checkbox"/> Customs and Border Protection (CBP)* | <input type="checkbox"/> Non-DHS employee working under the authority of DHS (e.g., 287g officer) |
| <input type="checkbox"/> Customs Officer | specify: _____ |
| <input checked="" type="checkbox"/> Border Patrol Agent | |
| <input type="checkbox"/> Federal Emergency Management Agency (FEMA) | |
| <input checked="" type="checkbox"/> Immigration and Customs Enforcement (ICE) | |
| <input type="checkbox"/> Secret Service (USSS) | |
| <input type="checkbox"/> Transportation Security Administration (TSA)* | |
| <input type="checkbox"/> U.S. Coast Guard (USCG) | |
| <input type="checkbox"/> Other DHS program (specify) : _____ | |

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): _____

Mailing Address: _____
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Names (or other information, e.g., agency): _____

Mailing Address: _____
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

- ⑥ **Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?**

☐ Yes: Agency/Office/Court _____ Date: _____

☒ No

If so, has anyone responded to your complaint?

☐ Yes ☐ No

If Yes, describe what has been done to respond to your complaint:

Continue on an additional page, if needed.

- ⑦ **Is there any other information you want us to know about or consider?**

See attached cover letter and Minor's Declaration.

Continue on an additional page, if needed.

- ⑧ **If you are not proficient in English, please indicate the language in which you prefer we communicate with you.**

Minor speaks Spanish.

- ⑨ **If you have problems understanding this form or any other question, contact CRCL:**

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ **To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.**

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.